

Application No.: 09/282,764

Docket No.: 99-808 RCE3

REMARKS

The following remarks are intended to be fully responsive to the Advisory Action having a mailing date of September 20, 2005. Claims 1-5, 9, 13, 18, 22, and 24-25 have been cancelled. Claims 6-8, 10-12, 15-17, and 19-21 have been amended. Applicant thanks the Examiner for allowing claims 26 and 27. Claims 7-8, 10-12, 16-17, and 19-21 have been amended to depend from claims 26 or 27. More specifically, as amended, claims 7-8 and 10-12 depend from claim 26. For at least the same reasons as claim 26, claims 7-8 and 10-12 are also in condition for allowance. Claims 16-17 and 19-21 depend from claim 27. For at least the same reasons as claim 27, claims 16-17 and 19-21 are also in condition for allowance.

Additionally, claims 9 and 18 were objected to by the Examiner. The limitations of dependent claim 9 have been incorporated into independent claim 6. Further, the limitations of claim 18 have been incorporated into independent claim 15. Accordingly, the allowability of independent claims 6 and 15 are addressed in the remarks below.

The amendments are made without prejudice or admission that there is any concurrence that the Examiner's position with respect to patentability is correct. Rather, the amendment is made to facilitate the allowance of this particular application. Applicant reserves the right to file a continuation application on the same or additional features disclosed in the application.

Applicant submits that no new matter has been added by amendment and that support for the amendments made may be found throughout the specification and drawings.

The application is now in condition for allowance.

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Claim Objections

Claims 9 and 18 are objected to under 37 C.F.R. §1.75 as being a substantial duplicate of claims 26 and 27. Applicant respectfully traverses. Claims 9 and 18 have been rewritten in independent form with their limitations incorporated into claims 6 and 15, respectively. Further, Applicant respectfully disagrees that claims 9 and 18 are respectively duplicates of claims 26 and 27 because the limitations included in each claim are different and will be afforded differing claim scope.

Specifically for claim 6, as amended, the limitation of "forming a banner ad term list, each element in said banner ad term list including terms of said first supercategory and terms of said at least one category associated with said first supercategory" is not found in claim 26. Thus, the differentiation between claim 6 and claim 26 is more than slight difference in wording.

For claim 15, as amended, the limitation of "machine executable code for forming a banner ad term list, each element in said banner ad term list including terms of said first supercategory and terms of said at least one category associated with said first supercategory" is not found in claim 27. Thus, claims 15 and 27 cannot be duplicates.

For at least these differences, claims 6 and 15 are in condition for allowance. Further, claim 14 depends from claim 6. For at least the same reasons as claim 6, claim 14 is in condition for allowance. Additionally, claim 23 depends from claim 15. For at least the same reasons as claim 15, claim 23 is in condition for allowance.

As such, Applicant respectfully requests that this objection be withdrawn.

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CONCLUSION

Reconsideration and allowance are respectfully requested. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes that no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 07-2347, under Order No. 99-808 RCE3 from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37 C.F.R. §1.136 is hereby made, the fee for which should also be charged to this Deposit Account.

Dated: September 26, 2005

Respectfully submitted,

By 

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